



Washington State Department of Ecology 2001 Agricultural Burning/Orchard Tear Out Permit Application

Is an Agricultural Burning Permit Required?

All commercial agricultural operations must obtain a permit prior to burning natural vegetation except when burning orchard prunings, natural vegetation along fencelines, irrigation and drainage ditches or natural vegetation blown by the wind. You must notify your fire protection authority prior to igniting **any** fire, even if an air quality permit is not required.

Best Management Practices (BMP's)

Agricultural burning is allowed when it is reasonably necessary to carry out the enterprise. A farmer can show it is reasonably necessary when it meets the criteria of the BMP's and no practical alternative exists. BMP's are one of the ways to demonstrate the need to burn. Growers not using these BMP's must establish that their proposed burn is reasonably necessary and that no practical alternative is available. The burden of proof is on the grower, and the demonstration must satisfy the Department of Ecology (Ecology) and the local delegated permitting authority.

Notice of Intent

Please provide your plan to apply to burn as early as possible. At that time, you may obtain a permit application and associated permitting information.

Completing the Application

1. Fill out the information requested on the following pages. *The application must be complete and the applicant statement sheet signed and the top page returned, otherwise this will be an incomplete application. The permit may be denied if all information is not provided.*
2. Attach a map of the **affected acreage** that clearly outlines the area where you plan to burn. The map must include Section, Township, and Range lines and roads. (The NRCS farm plan aerial photo maps, FSA aerial photos, or USGS 7.5 minutes maps are good for this purpose.)
3. Attach documentation of the management history and the future management plan of the area requested to burn.
4. Attach any documentation from 3rd party agronomic experts that helps to demonstrate the need to burn.
5. Attach any documentation of compliance with soil loss standards.
6. Calculate total acres and the fee in the space provided. **Minimum fee is \$25.00.*
7. Sign and date the application.
8. Mail the application and check for the permit fee to the following address:

**Agricultural Burning Account
Washington State Department of Ecology
PO Box 5128
Lacey, WA 98509-5128**

What Happens Next?

Ecology will evaluate your application and determine if you have demonstrated that burning is necessary to carry out your enterprise and that no alternatives exist. The burden of proof rests with you. Ecology will act on a **completed** application within seven (7) days and will either send you a permit or a written explanation as to why the application was denied.

If the permit is denied, you are subject to a refund less a \$25 processing fee.

Check this box if the acreage you are applying to burn is in the following Counties: Chelan, Douglas, Kittitas, Kootenai, or Okanogan

Application #

Applicant Information:	Land Owner Information (As shown on County Assessors Records)
Business: _____ Or Individual: _____ Applicant is the Y _____ Lessee: _____ Or Owner: _____ Operator? N _____	
Name: _____	Name: _____
Business Name: _____	Business Name: _____
Mailing Address: _____	Mailing Address: _____
City/State _____ Zip _____ County _____	City/State _____ Zip _____ County _____
Contact Person: _____	Contact Person: _____
Home: _____ Work: _____	Home: _____ Work: _____
Shop: _____ Cell: _____	Shop: _____ Cell: _____

Burn Summary and Calculation of Permit Fee: (please complete once entire application has been completed)

Summary of Permit Application

Burn	Common Name: How do you commonly refer to this area? i.e. "Smith Place"	Acres	Crop	Yield	Expected Burn Date
Burn #1					
Burn #2					
Burn #3					
Burn #4					
Burn #5					
Burn #6					

Total Acres _____ Total Acres requested to Burn: _____ X \$2.00 = \$ _____

* Minimum \$25.00 non-refundable administrative fee

Applicant Statements:

Enclosed applicant statements must be signed and top page returned. Incomplete applications will not be processed.

Refund Policy

Refund requests for Spring Permits must be received prior to **June 30th**. Refund requests for Fall Permits must be received prior to **December 31st**.

*If the permit is denied the grower or applicant is subject to a refund, less the \$25.00 administrative fee.

I certify that the information provided, as part of this application is true and accurate to the best of my knowledge.

Applicants Signature

Date

01-02-007

3 of 4

Burn # _____

B M P INFORMATION

What BMP are you using? (See non-cereal BMP's section 5-5k and section A-A and A-2) _____

If no BMP is being used the grower must state why the burning is necessary to carry out the enterprise and that no practical alternative is reasonably available. Provide reason _____

Orchard Variety (be specific) _____

Is this a dwarf variety? Yes ___ No ___ Age of trees _____ Acres of orchard being torn out _____

Total acres of orchard _____ Number of trees per acre _____ Irrigated Yes ___ No ___

What is the estimated tonnage per acre to be burned? _____

Has the orchard/portions of the orchard been thoroughly inspected by a third party agronomic professional?

Yes ___ No ___ If yes, by whom? _____

Describe the results of this inspection: (attach additional sheets and/or letters as needed) _____

ORCHARD/FIELD LOCATION

Section, township and range for field or portions of a field to be burned for BURN #1 ONLY. (List each section within a township and range separately).

_____ 1/4 Section _____ Township: _____ Range: _____

_____ 1/4 Section _____ Township: _____ Range: _____

_____ 1/4 Section _____ Township _____ Range: _____

Latitude and Longitude (if available): Lat: _____ N Long: _____ W

How was Lat/Long obtained: GPS: _____ MAP: _____ OTHER: _____

Attach a map providing *specific* location of trees removed and location of expected burn pile. Include clearly marked Section, Township and Range border lines and numbers.

Driving directions/street address (if available) irrigation block & unit (if applicable) of field or portion of field to be burned: _____

Fire Department/District (# and name) _____ County: _____

DOCUMENTATION SHOWING A BURN IS REASONABLY NECESSARY TO CARRY OUT THE ENTERPRISE. (WAC 173-430-040(1))

Provide a detailed explanation as to why you believe burning is necessary. _____

Orchard History	Acres Torn Out	Acres Burned	*Acres not burned
1998			
1999			
2000			
2001			

***What was done with the acres that was not burned?** _____

What is the reason for the Orchard tear out? _____

Describe which alternatives to burning you have tried or researched and why you believe these were not effective (for example, have you considered chipping, cutting for firewood, etc) _____

How does the cost of alternatives compare with the cost of burning? (provide cost estimates in comparisons)

Explain how you can assure that the acreage requested to burn will be protected from water and wind erosion following the burn. _____

What are your plans for this acreage following the burn? _____



Statement of Permit Conditions

Permit applicants are required to follow and obey all applicable provisions of the Washington Clean Air Act, RCW 70.94 and WAC 173-430 Agricultural Burning.

The Applicant, if granted a permit, agrees to comply with the following conditions and any additional conditions contained in a permit or other application for permit

- 1. No burning during adverse weather conditions .**
 - You must call the Agricultural Burning Hotline at 1-800-406-5322 prior to burning.** If the message for your area states that it is a no-burn day, you may not legally burn. If the message says it is a burn day, you must still comply with your local fire protection agency’s decision if it determines it is a no-burn day. Compliance with burn bans put into effect by another department/county/city is a specific condition of this permit. The grower and the local fire department are responsible for fire safety.
 - Do not burn after or before the listed burn hours on the Ag Burn Hotline .** Do not burn before the earliest stated time. Fires must be completely out by the listed ending time. Burning after dark is *not* allowed.
- 2. Burn only when smoke will be carried away from neighboring homes, roads, population centers or public areas.** All growers burning under the agricultural burning permit program must very carefully consider where upper level and ground level winds will carry the smoke from his/her controlled burn. Regulations implementing the state Clean Air Act state that the grower must burn only when:
 - “Wind takes the smoke away from roads, homes, population centers, or other public areas, to the greatest extent possible.” (WAC 173-430-070)
 - “No person shall cause or permit the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.” [WAC 173-400-040(5)]It is also the growers responsibility to not burn when high surface winds will not allow the smoke to rise. As a general rule, many experts suggest that if it is too windy to spray- it is too windy to burn.
- 3. If you are demonstrating necessity to burn by use of a Best Management Practice, you certify that you have read and understand and will follow the Best Management Practices specific to this type of burning and believe the proposed burning is reasonably necessary and no practical alternative exists.**
- 4. Burn only natural vegetation.** No burning of garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper, cardboard, lumber, construction, or demolition debris, metal or any substance (other than natural vegetation) that normally releases toxic emissions, dense smoke, or obnoxious odors when burned. (WAC 173-425-050)
- 5. Consider protection of wildlife areas by timing of the burn or other appropriate measure.** Generally, wildlife areas may include tree and shrub areas, riparian areas with trees and shrubs, woodlands, eyebrows with dense tree and shrub cover and CRP stands.
- 6. Attend the fire at all times.**
- 7. Keep a burn permit at the burn site while burning is being conducted.**
- 8. Submit a post-burn report within 7 days of the burn to the permitting authority.** The report shall include: Grower’s name, permit number, county, acres burned, burn date, legal description, time burn ignited, time the burn is out, surface wind direction and speed when the fire is ignited and throughout the duration of the burn.
- 9. You certify that you are a verified commercial agricultural operation as defined in WAC 173-430.**
- 10. You agree to grant the Department of Ecology (Ecology) or their duly authorized representatives access to the acreage listed on any agricultural burning permit, including those private roads or access ways under your control that are required to obtain access to the listed acreage for the purpose of investigating conditions specific to any agricultural burning permit issued by the Ecology or a delegated permitting authority. To the extent reasonable and consistent with carrying out the duties of the agricultural burning permitting program you will be notified and given the option to accompany Ecology, or their duly authorized representatives, when accessing your property.**

I have read and understand and agree to abide by the conditions above and those contained in the permit.

Signature _____ Date _____
Printed name _____

Ecology is an Equal Opportunity Employer